

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

664D0448

HOUSE ENGROSSED NO. **HB1102** - 2/9/00

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

Introduced by: Representatives Brown (Jarvis) and Diedtrich (Elmer) and Senators Paisley, Lange, and Staggers

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to insurance arbitration.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 21-25A-3 be amended to read as follows:

4 21-25A-3. This chapter does not apply to insurance policies and every provision in any such
5 policy requiring arbitration or restricting a party thereto or beneficiary thereof from enforcing
6 any right under it by usual legal proceedings in ordinary tribunals or limiting the time to do so
7 is void and unenforceable. However, nothing in this chapter may be deemed to impair the
8 enforcement of or invalidate a contractual provision for arbitration entered into between
9 insurance companies. After the occurrence of an event concerning the enforceability, terms,
10 conditions, damages, or any other dispute involving the insurance policy, the parties to a dispute
11 may agree in writing to arbitrate.

1 **BILL HISTORY**

2 1/18/00 First read in House and referred to committee assignment waived. H.J. 112

3 1/19/00 Referred to Judiciary. H.J. 144

4 1/26/00 House of Representatives Referred to Commerce. H.J. 246

5 2/3/00 Commerce Hog Housed.

6 2/3/00 Scheduled for Committee hearing on this date.

7 2/3/00 Commerce Do Pass Amended, Passed, AYES 8, NAYS 4. H.J. 404

8 2/7/00 House of Representatives Deferred to another day. H.J. 469

9 2/8/00 Motion to Amend, Passed. H.J. 491

10 2/8/00 House of Representatives Do Pass Amended, Passed, AYES 62, NAYS 5. H.J. 491